

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:14-CR-361 CDP NAB
)
SHOICHI OKADA,)
)
Defendant.)

ORDER AND SPEEDY TRIAL FINDING

This matter is before the Court on Defendant's Request for Extension of Time to File Pre-Trial Motions [[Doc. #27](#)] filed on January 26, 2015. This is Defendant's first such motion. In support of the motion, Defendant stated that the case has a number of complex computer and legal issues and therefore counsel needs more time to investigate and research relevant issues. Defendant requested that the pretrial motion deadline previously set for January 26, 2015 be continued 45 days. The Court will grant Defendant's motion for extension.

Defendant also filed a Waiver of Speedy Trial [[Doc. #26](#)]. Such a blanket prospective waiver of the application of the Speedy Trial Act is invalid. See *Zedner v. United States*, 547 U.S. 489, 500, 126 S. Ct. 1976, 1985, 164 L. Ed. 2d 749 (2006). However, if Defendant believes this case is so unusual or so complex that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by the Speedy Trial Act, the undersigned will entertain a Motion for Complex Case Finding.

Speedy Trial Finding: For the reasons set out in Defendant's motion for extension, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the

exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial, and therefore, the time granted to Defendant to properly prepare for the evidentiary hearing is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1) and 3161(h)(7).

Accordingly,

IT IS HEREBY ORDERED that Defendant's Request for Extension of Time to File Pre-Trial Motions [[Doc. #27](#)] is **GRANTED**. Defendant shall have to and including **March 12, 2015** to file any pretrial motions or waiver of motions. The Government shall have until **March 19, 2015** to respond. **If Defendant fails to file pretrial motions or a waiver of pretrial motions, the Court will set the matter for a hearing.**

Dated this 27th day of January, 2015.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE